

TRANSMITTAL FORM FOR FILING PATENT APPLICATION

Attorney Docket No.: SW-045AX

WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP

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Express Mail No: EV 044749185 US
Date: January 22, 2004

MAIL STOP PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

First Named Inventor or Application
Identifier: Kevin Tait

Sir:

Transmitted herewith under 37 CFR § 1.53 for filing is the patent application of:

Inventor: Kevin Tait

Entitled: STOOL MARKER

[X] This is a request for filing a [X] **continuation** [] **divisional**
[] **continuation in-part** application under §1.53(b) of prior Application
No. 09/800,076, filed March 5, 2001, entitled: STOOL MARKER.

Enclosed are:

[X] 18 pages of written description, claims and Abstract, inclusive[] sheets of [] informal [] formal drawings of Figs. (one set)

[X] Oath or Declaration

[] Newly executed (original or copy)

[X] Copy from prior application (37 CFR 1.63(d)) (for
continuation/divisional). The entire disclosure of the prior
application, from which a copy of the oath or declaration is supplied,
is considered as being part of the disclosure of the accompanying
application and is hereby incorporated by reference therein.

[] To be filed later

[] Cover sheet and Assignment of the invention to:
including a check in the amount of \$ for recordation fee.

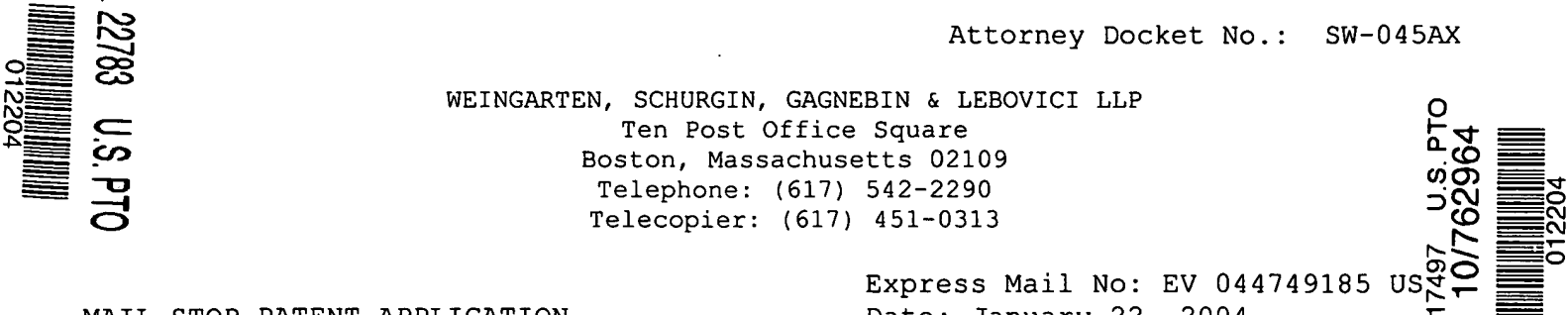
[] Certified copy of a application (if foreign
priority is claimed) with letter claiming priority under Rule 55.

[X] Information Disclosure Statement, references can be found in parent
application No. 09/800,076 filed March 5, 2001.

[] Preliminary amendment is enclosed.

[X] Return receipt postcard

[X] Small entity status is entitled to be, and hereby is, asserted for this
application.



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TRANSMITTAL FORM FOR FILING PATENT APPLICATION (CONTINUED)

[] Other:

[X] Priority is claimed under 35 USC § 120 as indicated on the attached sheet 4.

[X] Priority is claimed under 35 USC §119(a)-(d) as indicated on the attached sheet 4.

[] Priority is claimed under 35 USC §119 (e) as indicated on the attached sheet 4.

[] _____ is hereby appointed Associate Attorney by:
Registration No.:_____
Attorney of Record:
Registration No.:[] Power of Attorney in the originally-filed application has been granted to one or more of the registered attorneys listed below. The attorneys listed below not previously granted power in the originally-filed application, as well as _____, are hereby given associate power:
Registration No.:Stanley M. Schurgin, Reg. No. 20,979
Charles L. Gagnebin III, Reg. No. 25,467
Victor B. Lebovici, Reg. No. 30,864
Beverly E. Hjorth, Reg. No. 32,033Holliday C. Heine, Reg. No. 34,346
Gordon R. Moriarty, Reg. No. 38,973
James F. Thompson, Reg. No. 36,699
Richard E. Gamache, Reg. No. 39,196

[] Cancel in this application original claims _____ of the prior application before calculating the filing fee.

[] Add in this application claims _____ per amendment before calculating fee.

CLAIMS FILED:	MINUS BASE:	EXTRA CLAIMS:	RATE:	BASIC FEE:
				\$770.00
Independent	1 - 3	= 0	x \$86.00 =	0
Total	18 - 20	= 0	x \$18.00 =	0
[] Multiple Dependent Claims (1st presentation)			+ \$290.00 =	0
SUBTOTAL FILING FEE				\$770.00
Small Entity filing, divide by 2. (Small Entity status must be asserted.)				\$385.00
TOTAL FILING FEE				\$385.00

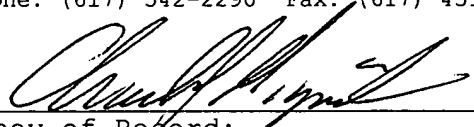
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TRANSMITTAL FOR FILING PATENT APPLICATION (CONTINUED)

- [X] The filing fee has been calculated above; a check in the amount of \$385.00 is enclosed.
- [] The filing fee will be submitted at a later date.
- [X] In the event a Petition for Extension of Time under 37 CFR §1.17 is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.
- [X] The Commissioner is hereby authorized to charge payment of any additional filing fees under 37 CFR §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

[X] **Customer Number 207**

which is associated with the Law Firm of:
WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP
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Boston, Massachusetts 02109
United States
Telephone: (617) 542-2290 Fax: (617) 451-0313



Attorney of Record:
Registration No.

Attorney Docket No.: SW-045AX

TRANSMITTAL FOR FILING PATENT APPLICATION (CONTINUED)

[X] Priority is claimed under 35 USC § 120 of prior Application(s)
No. 09/800,076 filed March 5, 2001, entitled: STOOL MARKER

[] The above-identified application(s) is/are assigned of record to:

[X] Priority is claimed under 35 USC § 119 (a)-(d) of the following application(s).

<u>P06055</u>	<u>Australia</u>	<u>07 March 2000</u>
(Application Number)	(Country)	(Filing Date)
<u> </u>	<u> </u>	<u> </u>
(Application Number)	(Country)	(Filing Date)
<u> </u>	<u> </u>	<u> </u>
(Application Number)	(Country)	(Filing Date)

[] The above-identified application(s) is/are assigned of record to:

[] Priority is claimed under 35 USC § 119 (e) of the following provisional application(s).

<u> </u>	<u> </u>
(Application Number)	(Filing Date)
<u> </u>	<u> </u>
(Application Number)	(Filing Date)
<u> </u>	<u> </u>
(Application Number)	(Filing Date)

[] The above-identified provisional application(s) is/are assigned of record to:

SUBMIT IN TRIPLICATE

CLG/mc/301012-1

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